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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/531,604	04/14/2005	Paul Zwart	NL 020998	8162
24737	7590	03/23/2006	EXAMINER	
PHILIPS INTELLECTUAL PROPERTY & STANDARDS P.O. BOX 3001 BRIARCLIFF MANOR, NY 10510			SONG, SARAH U	
			ART UNIT	PAPER NUMBER
			2874	
DATE MAILED: 03/23/2006				

Please find below and/or attached an Office communication concerning this application or proceeding.

RD

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/531,604	ZWART, PAUL	
	<b>Examiner</b>	<b>Art Unit</b>	
	Sarah Song	2874	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-13 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-3 and 5-7 is/are rejected.
- 7) ☒ Claim(s) 4 and 8-13 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 14 April 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>0405</u> . | 6) <input type="checkbox"/> Other: ____.  |

## **DETAILED ACTION**

### ***Priority***

1. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

### ***Information Disclosure Statement***

2. The prior art documents submitted by the applicant in the Information Disclosure Statement filed on April 14, 2005 have all been considered and made of record (note the attached copy of form PTO-1449).

### ***Claim Objections***

3. Claims 4 and 8-13 are objected to under 37 CFR 1.75(c) as being in improper form because a multiple dependent claim should refer to other claims in the alternative only and cannot depend from any other multiple dependent claim. See MPEP § 608.01(n). Accordingly, the claims 4 and 8-13 have not been further treated on the merits.

### ***Claim Rejections - 35 USC § 102***

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5. **Claims 1, 2, 5 and 6 rejected under 35 U.S.C. 102(e) as being anticipated by Balle-Petersen et al. (U. S. Patent Application Publication 2002/0081080).**

6. Regarding claims 1, 2 and 5, Balle-Petersen et al. discloses a medical examination system comprising a medical examination device (detachable beam delivery system) and a control device (fixed beam delivery system) to operate the medical examination device, wherein the control device transmits signals comprising control signals 45 accompanied by an identification code and wherein the examination device is provided with means to verify the identification code and is arranged to accept the corresponding control signals when the identification code is correct and to reject the corresponding control signals when the identification code is not correct characterized in that the examination system further comprises communication means (e.g. 27) for automatically communicating the identification code between the control device and the examination device. The communication means are arranged to receive the identification code from the medical examination device for transmittance to the control device. The communication means are also arranged to receive the identification code from the control device for transmittance to the examination device. The communication means comprise interrogation means for periodically retrieving the identification code from the control device. See Figure 6, ¶0023, ¶0027-¶0034, and ¶0048-¶0051.

***Claim Rejections - 35 USC § 103***

7. **Claims 3 and 7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Balle-Petersen et al. as applied to claim 1 or 6 as applicable above, and further in view of Kwong-Tai Chung (U.S. Patent Application Publication 2003/0052788).**

8. Regarding claim 3, Balle-Petersen et al. discloses periodic transmittance of the identification code, as noted above, but does not expressly disclose the control device provided

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with memory means for temporal storage of the identification code, or an RFID reader and RFID tag.

9. Kwong-Tai Chung discloses a system wherein a control device (e.g. check smart tag) is provided with memory means (e.g. RFID tag) for temporal storage of the identification code, and wherein interrogation means comprise an RFID reader, and a control device is provided with an RFID tag. See ¶0031 and ¶0034-¶0043.

10. Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to provide the medical system of Balle-Petersen et al. with memory means for temporal storage of the identification code, and wherein interrogation means comprise an RFID reader, and a control device is provided with an RFID tag, as taught by Kwong-Tai Chung.

11. One of ordinary skill in the art would have been motivated to make the modification in order to provide a system with an automated process for reducing risk of medical mistreatments, etc.

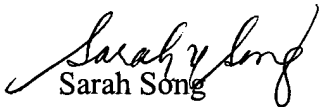
### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sarah Song whose telephone number is 571-272-2359. The examiner can normally be reached on M-Th 7:30am - 6:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Rodney Bovernick can be reached on 571-272-2344. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

  
Sarah Song  
Primary Examiner  
Group Art Unit 2874